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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,613	08/19/2003	John Williams	75144-011400	5986

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EXAMINER	
OMOTOSHO, EMMANUEL	
ART UNIT	**PAPER NUMBER**
3714	

MAIL DATE	DELIVERY MODE
05/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/644,613	WILLIAMS ET AL.	
	Examiner	Art Unit	
	Emmanuel Omotosho	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 February 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 8-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 8-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

In response to applicant's amendment filed 02/13/07, in which claim 7 was canceled and claims 1-6 and 8-11 were amended. Claims 1-6 and 8-11 are pending.

Claim Objections

Applicant is advised that should claim 8 be found allowable, claim 9 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-6 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminkow et al. ("Kaminkow") US Patent 6,656,041, and further in view of Chaudhry et al. ("Chaudhry") US Patent 4,363,486.

4. Claims 1,8-9 and 11: Kaminkow teaches a gaming machine having a chamber (Fig 1 El. 58), a panel carrying gaming machine artwork (El. 70 Par 4 lines 22-26), a light diffusing element (Par 4 lines 18-21) and a gaming machine illuminating arrangement comprising a carrier (Fig 3 El. 68) and a plurality of semiconductor illuminating elements arranged in a predetermined array on the carrier (Par 4. lines 58-66).

5. Kaminkow does not specifically disclose that the light-diffusing element can be arranged on an opposed side of the chamber in spaced relationship relative to the panel.

6. Chaudhry teaches that the arrangement is a design choice by showing that the light diffusing element (in form of a plate) could be arranged on an opposed side of the chamber in spaced relationship relative to the panel (Par 5 lines 3-14 Fig 3 El. 8(artwork on panel), Els.104(lighting elements), El. 102(light diffusing element)), wherein the chamber itself is arranged in the belly of the gaming machine.

7. Kaminkow motivated that number of arrangement modifications could be made to the design (Par. 5 lines 55-66). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporate the light diffusing

element and artwork panel arrangement of Chaudhry with Kaminkow's teachings since it has been held that rearranging parts of an invention involves only routine skill in the art. See In re Japikse, 86 USPQ 70.

8. Claims 3-4: Kaminkow teaches that the semiconductor illuminating elements are in the form of light emitting diodes (LEDs) where in the arrangement is a sequence of repeating groups (Par 4. lines 58-64).

9. Claims 5-6: Kaminkow teaches that the group comprises a predetermined number of differently colored LEDs in which the colors may correspond to the three primary colors (Par 4 line 67 – Par 5 line 2).

10. Claim 10: wherein the chamber defining means is arranged in a top box of the gaming machine (Kaminkow Fig 1)

11. Claim 11: Even though this claim is rejected above using Chaudhry, Applicant should respectfully further note here that the word "belly" is extremely broad and thus is subject to the broadest-reasonable interpretation. For example, a definition of "belly" found in the dictionary of http://encarta.msn.com states that the belly is the "the interior cavity of a structure". Thus, using this interpretation Kaminkow Fig 1 el. 58 teaches would still read on this feature.

12. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminkow in further view of Chaudhry. Kaminkow fail to specifically show that the carrier comprises of a strip of printed circuit board (PCB) carrying conductive traces for connecting the illuminating elements to a control means for supplying electrical power to the PCB, the control means being part of a controller of the gaming machine. However

Chaudhry shows this feature to be old (Par. 1 line 59 – Par. 2 line 12). It is well known in the art to use PCB boards to mount and control LED displays as shown in the Chaudhry reference (now admitted prior art). It is also well known to use LED's to display information on many type of devices, displaying color pictures, text, flashing lights etc (now admitted prior art).

Examiner's Note

Since applicant did not traverse the examiner's assertion of the following well known in the art statements, the following statements are now been taken to be admitted prior art (See MPEP 2144 Part 3)

a. To use PCB boards to mount and control LED displays

b. To use LED's to display information on many type of devices, displaying color pictures, text, flashing lights

Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as

well as the context of the passage as taught by the prior art or disclosed by the examiner

Response to Arguments

13. Applicant's arguments filed 2/13/2006 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Omotosho whose telephone number is (571) 272-3106. The examiner can normally be reached on m-f 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EO

Ronald Laneau

RONALD LANEAU
PRIMARY EXAMINER

5/12/07